

Opening Statement  
The Honorable George Radanovich  
Chairman  
Water and Power Subcommittee  
Oversight Hearing on  
“The San Joaquin River Restoration Settlement Act”  
September 21, 2006  
Washington, DC

Today’s hearing is a crucial step towards resolving a long and bitter war in the San Joaquin Valley.

For eighteen years, a legal battle to restore a salmon fishery on the San Joaquin River has been fought in the courts. Hard-working Valley farm families whose futures depend on the Dam have been left in doubt and fish restoration was nothing more than a pipe dream for many other Californians. In the meantime, many of us were worried that a judicial decision would be controversial and be appealed to the Supreme Court, costing millions more and leaving the issue unresolved for many more years.

For that reason, Senator Feinstein and I joined together last year to urge the parties to take their fight out of the courtroom and back to the negotiating table. Friant Water Users Authority, NRDC and the U.S. government began to sit down in good faith to try and end years of stalemate. The result is what we have here before us today. The San Joaquin River Restoration Settlement is an unprecedented effort to restore a dead fishery and gives certainty to Friant farmers.

Now that much of the hard work has been done in California, it’s up to Congress to bring the settlement across the finish line and provide the necessary funding. We have a lot of work to do. This hearing is part of our recent efforts to make the settlement a reality. As we will see, the settlement has many benefits, but it may also have some unintended consequences. That’s why we’ve asked some of the best and brightest to speak today about the need to address third-party concerns. I’m confident we can resolve these concerns if we all continue to work in good faith together.

As we march toward our objective, it’s important not to repeat Congress’ past mistakes of enacting vague legislation — leaving the courts to decide the details. We don’t need another CVPIA on our hands and new water litigation.

We have an historic opportunity to put an end to this long episode of California water wars. Time is very limited to pass the settlement into law, but we will make very effort to resolve remaining concerns, particularly with respect to third party impacts and the funding of the project.

I commend those who worked so hard on this effort. The more recent negotiations occurred over the past 13 months, and the success in the settlement was and will continue to be found in a series of 10 yard passes, not one Hail Mary pass.

Diligent efforts by Kole Upton, Chairman of the Friant Water Users Authority, Dan Dooley, a Friant Attorney, Hal Candee, with NRDC, and others from the state and federal governments helped achieve the settlement. Now those of us here in Congress have to close the gap on the remaining critical issues. Let's make it happen.